



Comptroller General
of the United States

Washington, D.C. 20548

Piecker

Decision

Matter of: ADTECHS Corporation

File: B-270689

Date: December 14, 1995

DECISION

ADTECHS Corporation protests the award of a contract to Beckart Environmental, Inc. under solicitation No. F02604-95-B-0012 by the Department of the Air Force.

The protester contends that the award price was too low to support the required performance and that the agency failed to perform a price reasonableness analysis that would have alerted the agency to this problem.

The submissions of a below cost offer is not a valid basis to object to a contract award. An offeror, in its business judgment, properly may decide to submit a price that is extremely low. Diemaster Tool, Inc., B-238877, Apr. 5, 1990, 90-1 CPD ¶ 375. An agency decision that the contractor can perform the contract at the offered price is an affirmative determination of responsibility which we will not review absent a showing of possible fraud or bad faith on the part of procurement officials, or that definitive responsibility criteria in the solicitation may have been misapplied. JWK Int'l Corp., B-237527, Feb. 21, 1990, 90-1 CPD ¶ 198. Neither exception applies here.

As for a price reasonableness analysis, that is required in a bidding situation, as here, only to determine if the bid price is too high. Since a below a cost bid may be accepted if the bidder is responsible, a bid may not be rejected simply on the basis that it is unreasonably low.

The protest is dismissed.

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